

Barry McHugh, ISB #3439
Bruce A. Anderson, ISB #3392
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Attorneys for Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO

In Re:

GERALD & ONA LINDSEY, *et al.*

Debtors.

)
) Case No. 03-21652
)
) NOTICE OF PROPOSED
) EXCHANGE
)
)

TO: CREDITORS, DEBTORS AND PARTIES IN INTEREST

Please take notice that on the 18th day of August, 2004, Ford Elsaesser, Chapter 7 Trustee, by and through undersigned counsel, shall seek Bankruptcy Court approval of the exchange of the Estate's right of first refusal to purchase real property owned by Shannon and Kimberly Lindsey, in exchange for an easement over such real property thereby benefiting the Estate of Gerald and Ona Lindsey, *et al.* The transaction is summarized as follows:

1. The Trustee proposes to release his right of first refusal against real property owned by Shannon and Kimberly Lindsey. In exchange for such release, the Estate of Gerald and Ona Lindsey, *et al.*, shall be granted an unrestricted and unlimited easement over the real property

U.S. COURTS
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CLERK CAMERON S. BURKE, IDAHO

owned by Shannon and Kimberly Lindsey to provide ingress and egress to the real property in the Estate of Gerald and Ona Lindsey, *et al.*

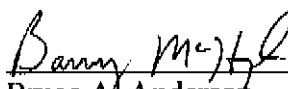
2. The Trustee believes the transfer is in the best interest of the Estate as the presently existing easement to the Estate real property over the real property owned by Shannon and Kimberly Lindsey may be restricted or is unclear, and an unrestricted and unlimited easement is needed and is necessary to maximize the value of the Estate real property. Attached as Exhibit A is the Gift Deed showing the presently existing easement, and attached as Exhibit B is the proposed easement that will be granted by Shannon and Kimberly Lindsey in favor of the Estate.

3. Time is of the essence on this matter as Shannon and Kimberly Lindsey have recently entered into a Purchase and Sale Agreement wherein their real property shall be sold for the sum of \$175,000.00. Such purchase and sale was set to close on July 31, 2004, but such date has been extended to accommodate the Trustee's exchange of right of first refusal for the easement as set forth above. Upon approval of this exchange, the Chapter 7 Trustee's interest in the Shannon and Kimberly Lindsey real property being sold shall be deemed abandoned.

4. If any creditor or party in interest has any objection to the transfer as proposed above, he or she should file his or her objection no later than ten (10) days before the date of the hearing set herein by filing said objection with the Clerk, U.S. Bankruptcy Court, Federal Building, 220 E. 5th Street, RM 304, Moscow, ID 83843, with copies served upon the Trustee, the Attorney for the Debtors, and the Office of the U. S. Trustee.

DATED this 23rd day of July, 2004.

ELSAESSER JARZABEK ANDERSON
MARKS ELLIOTT & McHUGH, CHTD.

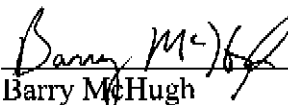
for 
Bruce A. Anderson

Attorney for Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of July, 2004, a true and correct copy of the foregoing NOTICE OF PROPOSED EXCHANGE was served upon the following via U.S. Mail, first class, postage prepaid.

Ford Elsaesser Chapter 7 Trustee P.O. Box 2220 Sandpoint, ID 83864	U.S. Trustec 304 N. 8 th Street, Rm 347 Boise, ID 83702
Dennis Albers Attorney at Law P.O. Box 314 Grangeville, ID 83835	Kenneth Anderson Towne Square Suite 330 504 Main Street Lewiston, ID 83501
IN ADDITION, PLEASE SEE ATTACHED MAILING LIST	


Barry McHugh

Britan D. Groom
POB 218
Grangeville, ID 83530

David Vial
c/o Sheila R Schwager
POB 1617
Boise ID 83701

David Vial and Bruce Comstock
c/o John Kluksdal, Esq.
P.O. Box 2582
Boise, ID 83701-2582

Gerald Lindsey
HC 01 Box 109B
White Bird, ID 83554

Gordon Johnson, William Brewer
Vernon Still
P.O. Box 72183
Fairbanks AK 99707

Idaho State Tax Commission
Bankruptcy Unit
POB 36
Boise, ID 83722

Idaho State Tax Commission
PO Box 36
Boise, ID 83722

Internal Revenue Service
550 W. Fort Street MS 041
Boise, ID 83724

Internal Revenue Service
915 2nd Ave Stop W244
Seattle, WA 98174

Internal Revenue Service
Chief, Special Procedure F
550 West Fort Street
Boise, ID 83724

J. Ford Elsaesser
POB 2220
Sandpoint, ID 83864

J. Lynn Partridge
1194 W 64000 S
Spanish Fork, UT 84660

Johnson Brewer Still
c/o Larry Woolford
526 Main Street
Juncau, AK 99801

Linda Clark
P.O. Box 291
Kaysville, UT 84037

Lynn M. Sorenson
1040 N 300 W
Spanish Fork, UT 84660

MBNA America
P.O. Box 15019
Wilmington, DE 19886

MBNA America Bank
POB 15168 MS 1423
Wilmington DE 19850

Mark Vial
c/o Sheila Schwager
POB 1617
Boise, ID 83701

Michael Scott Ioane
c/o 801 Woodside Rd #14-404
Redwood City, CA 94061

Mike Vial
c/o Sheila Schwager
POB 1617
Boise, ID 83701

Mr. Bernie Gira
802 Caroline Lane
Southlake TX 76092

Noel Tanner
P.O. Box 1389
Nome, AK 99762

Ona Lindsey
HC01 Box 109B
White Bird, ID 83554

Peter Abt
1500-521 3 Avenue S.W.
Calgary AB T2P 3T3

Resurgent Capital Services
POB 10587
Greenville, SC 29603-0587

Searchlight
c/o James Siebe
POB 9045
Moscow, ID 83843

U.S. Bank
POB 5229
Cincinnati OH 45201

United States Trustee
304 N. 8th Street Rm 347
Boise, ID 83702

Virgil Vial
c/o Sheila Schwager
POB 1617
Boise, ID 83701

Vial dba AU Mining
c/o Sheila Schwager
POB 1617
Boise, ID 83701

Wally Brooks
325 Garrison Way
Gulph Mills PA 19428

Searchlight Trust
Box 50616
Idaho Falls ID 83405

Boyd Hopkins
c/o Danny Radakovich
1624 G Street
Lewiston ID 83501

James Spickelmire
HC01 109F
White Bird ID 83501

Shannon Lindsey
PMB 2127-01
Jackson Creek Road
Montana City MT 59634

Ray & Marianne Holes
HC01 Box 109C
White Bird ID 83554

Glen Halliday
c/o 801 Woodside Rd
Suite 14-404
Redwood City CA 94061

Cornerstone Ranch LLC
c/o Noel Tanner
Box 1430
Round Mountain NV 89045

Mountain Property Mgmt
c/o Dru Guthrie
Box 50616
Idaho Falls ID 83405

LT & L, Inc.
P. O. Box 218
Grangeville ID 83530

National Holding Trust
c/o Dru Guthrie
Box 50616
Idaho Falls ID 83405

Equitable Financial Svs
c/o Dru Guthrie
Box 50616
Idaho Falls ID 83405

American Lending Svs
c/o Dru Guthrie
Box 50616
Idaho Falls ID 83405

Nevak Mining LLC
c/o Stephen McCrea
P. O. Box 1501
CDA ID 83816

Clinton Henderson
606 6th Street
Clarkston, WA 99403

H.F. Livestock
c/o Danny Radakovich
1624 G Street
Lewiston ID 83501

Danny Radakovich
1624 G Street
Lewiston ID 83501

Acacia Corp. Mgmt
c/o Dru Guthrie
Box 50616
Idaho Falls ID 83405

Golden Opportunity Trust
c/o Dru Guthrie
Box 50616
Idaho Falls ID 83405

True Technologies Inc.
c/o Stephen McCrea
P. O. Box 1501
CDA ID 83816

Vern I. Brown
768 N. Court Ave.
Burns OR 97720

Alana L. Atchison
Rt. 02 Box 07
Kamiah ID 83536

Rene D. Howden
P. O. Box 218
Grangeville ID 83530

Dru Guthrie
Box 50616
Idaho Falls ID 83405

Loraine Robinett
50 Alfalfa Rd.
Helena MT 59602

Bruce Comstock
47067 Kirkpatrick Rd.
Pendleton OR 97801-6063

Ken Forsmann
P. O. Box 37
Cottonwood ID 83522

Jul-08-2004 10:40am From-ALL AROUND REALTY

+208 983 7864

T-072 P. 007/012 F-983

05/27/2004 15:51 FAX 12089832086

IDAHO COUNTY TITLE

0004

362565

DEED OF GIFT

 SEARCHED
 INDEXED
 FILED
 APPROVED

THIS INDENTURE, made on this 8 day of April, 1992, by and between GERALD A. LINDSEY and ONA L. LINDSEY, husband and wife, of P. O. Box 108, White Bird, ID 83554, hereinafter referred to as the Grantors, and SHANNON ^{b.}X LINDSEY and KIMBERLY A. LINDSEY, husband and wife, of P.O. Box 14, White Bird, ID 83554, hereinafter referred to as the Grantees.

WITNESSETH:

That the said Grantors, for and in consideration of the love and affection which the Grantors have and bear for the Grantees, their son and daughter-in-law, do by these presents give, grant, alien, and confirm unto the Grantees all right, title and interest in and to the following described of real property situate in the County of Idaho, State of Idaho, together with any improvements thereon and associated rights of way for road and irrigation and domestic water purposes hereinafter described. It is understood that this gift is a gift of the fee simple interest in and to the parcel of property and the associated rights. Said property is described in Idaho County, Idaho, as follows:

See Exhibit "A", which is attached hereto and hereby incorporated by this reference, referred to as Lot 1, which parcel is likewise shown as Lot 1 on a Certificate of Survey recorded as instrument #359707. Said recording of that plat being on August 21, 1991 in Idaho County, State of Idaho.

TOGETHER WITH the interest in Lot 1 is a joint easement and right of way to travel on and along the access road from the ~~various~~ Highway District Deer Creek public road to the various portions of Lot 1 shown in Exhibit "A" and to likewise travel along the access road to service the Grantees joint rights in the irrigation line hereinafter mentioned from the Salmon River and the use of the access road for any purpose associated with the maintenance of the spring water line. The access road is legally described specifically in Exhibit "B", which is attached hereto and hereby incorporated by this reference and is likewise shown on survey plat #359707. The right to use the access road, Exhibit "B", shall be in common with the Grantors and other persons to whom Grantors might desire to grant rights in said road.

That, the Grantees shall likewise receive the right to use an irrigation line taking water from the Salmon River up hill to a pump house and then from that pump house down hill to Lot 1. That the irrigation line is shown and described in Survey #359707 and the terms of that survey for those purposes are incorporated herein. This right shall be in all portions of the irrigation line as the same now benefits Lot 1 for irrigation purposes. The easement likewise granted shall be

DEED OF GIFT - 1

EXHIBIT

A

Jul-08-2004 10:40am From-ALL AROUND REALTY

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7-872 P.008/012

F-883

05/27/2004 15:51 FAX 12089832008

IDAHO COUNTY TITLE

2008

for the right of reasonable maintenance of that irrigation line and for power purposes associated with the operation of the irrigation system shown and described on instrument #155707.

Also, these Grantees shall have the right and an easement for pipeline purposes to use the water shown as the spring line water shown and described in Survey #155707 which provides domestic water to Lot 1, all as shown in that survey. This easement shall provide, of course, the right of reasonable maintenance of that spring line and the right of ingress and egress to the spring line for those maintenance purposes, including the collection box denoted as concrete riser at spring.

The right to use said spring line system shall be for reasonable domestic purposes and the Grantors reserve the joint right of use in the spring line, the water distribution system for other domestic purposes Grantors might have in the future, provided that there is sufficient excess water produced by the spring for the Grantors other purposes.

That, the Grantors hereby convey a joint right in the irrigation water above mentioned and the spring water above mentioned to Lot 1 and the parties shall likewise execute an assignment of existing water rights through the Idaho Department of Water Administration for these purposes.

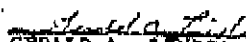
However, the Grantors hereby reserve to themselves the right of first refusal in the event Lot 1 or any portion of the same would ever be sold by the Grantees. In that event, the Grantees will have the duty to communicate a good faith written offer to the Grantors from an independent third party. Then, the Grantors will have 15 days in which to notify the Grantees of whether the Grantors will exercise their right and if so, they shall have the duty to meet exactly the original third party offer made by independent third parties.


In the event the Grantors do not choose to exercise their right of first refusal, they shall have the duty to execute of record a written notification of their release of the right of first refusal. Furthermore, this right of first refusal shall continue only so long as the Grantors or either of them are alive. At the death of the second of the Grantors, as proven by a recording of a certified copy of the death certificates of both parties, this right of first refusal shall expire.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the said appurtenances unto the Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.


GERALD A. LINDSEY


ONA L. LINDSEY

DEED OF GIFT - 1

Jul-08-2004 10:47am From: ALL AROUND REALTY

+208 983 7864

T-972 P.008/012

F-883

05/27/2004 15:51 FAX 12089832088

IDAHO COUNTY TITLE

006

STATE OF IDAHO

County of Idaho

On this 8 day of April, 1992, before me, a Notary Public in and for said County and State, personally appeared GERALD A. LINDSEY and ONA L. LINDSEY, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they freely executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Notary Public for the State of Idaho,
Residing at Idaho Falls therein.
My commission expires 11-2-94.

Filed and recorded at the request of Shannon Lindsey
at 2:45 o'clock P M this 8 day of Apr 1992

By [Signature] Deputy

ROSE E. GEHRING
Ex-Officio Auditor and Recorder
Idaho County, Idaho

Fee \$ 18.00

71/ P.O. Box 16
Blaine ID 83534

Jul-08-2004 10:41am From:ALL AROUND REALTY

+208 983 7864

T-872 P 010/012 F-883

05/27/2004 15:51 FAX 12080632088

IDAHO COUNTY TITLE

008

LOT 2

A parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 and in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T28N, R1E, Boise Meridian, Idaho County, Idaho, which is more particularly described as follows:

In SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27

Commencing at the section corner common to Sections 26, 27, 34 and 35, a brass capped monument marked PLS 5165

Thence S89°48'28"W, on section line between Sections 27 and 34, 577.38' to THE POINT OF BEGINNING, a point of westerly R.O.W. of access road

Thence S89°48'28"W, on said section line, 180.21' to a point of westerly R.O.W. of access road

Thence N46°56'37"W, on westerly R.O.W. 148.41'

Thence N37°29'32"W, on said R.O.W., 170.55'

Thence N24°17'52"W, on said R.O.W., 129.92'

Thence N20°55'57"W, on said R.O.W., 78.99'

Thence N49°40'25"W, on said R.O.W., 144.58'

Thence N64°52'13"W, on said R.O.W., 93.42' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N65°27'35"E, leaving R.O.W., 77.73' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N12°12'43"W, 102.78' to a 5/8"X30" IR with plastic cap marked PLS 5165 which is on westerly R.O.W. of access road

Thence S65°29'26"E, on said R.O.W., 525.92'

Thence S41°08'23"E, on said R.O.W., 168.46'

Thence S35°36'49"E, on said R.O.W., 300.70'

Thence S18°30'42"E, on said R.O.W., 115.26'

Thence S 1°30'21"W, on said R.O.W., 68.16'

Thence S26°52'04"W, on said R.O.W., 215.06' to THE POINT OF BEGINNING

Also a portion of Lot 2 which is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T28N, R1E, Boise Meridian, Idaho County, Idaho, which is more particularly described as follows:

Commencing at the section corner common to Sections 26, 27, 34 and 35, a brass capped monument marked PLS 5165

Thence S89°48'28"W, on section line between Sections 27 and 34, 577.38' to THE POINT OF BEGINNING, a point on westerly R.O.W. of access road

Thence S26°52'06"W, on westerly R.O.W. of access road, 32.52' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S86°30'24"W, leaving said R.O.W., 127.06' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is on westerly R.O.W. of access road

Thence N46°56'37"W, on said westerly R.O.W., 52.95' to a point which is on section line between Sections 27 and 34

Thence N89°48'28"E, on section line, 180.21' to THE POINT OF BEGINNING

Jul-08-2004 10:42am From-ALL AROUND REALTY

+208 883 7864

T-872 P 011/012 F-883

05/27/2004 15:53 FAX 12088832088

IDAHO COUNTY TITLE

2009

Exhibit A (Page 2 of 3)

Together with a 50 foot Right Of Way (R.O.W.) for ingress and egress between Lots 1 and 2 above described, as described on Certificate of Survey recorded as Instrument No. 349707, on August 21, 1991, at 10:49 AM, in the County of Idaho, State of Idaho. This easement is more particularly described as follows: A 50 foot R.O.W. with the center line commencing at NW1/4, NE1/4, SW1/4, Section 27, T20N, R1E

Thence N89° 43' 42"E, 490.65' to THE POINT OF BEGINNING

Thence S57° 40' 46"W, on said R.O.W., 162.6'; Thence S86° 17' 34"W, on said R.O.W., 168.33'; Thence S32° 46' 15"E, on said R.O.W., 77.39'; Thence N87° 25' 00"E, on said R.O.W., 199.77'; Thence S85° 25' 55"E, on said R.O.W., 125.11'; Thence N88° 23' 52"E, on said R.O.W., 98.86'; Thence N85° 36' 59"E, on said R.O.W., 68.18'; Thence S34° 46' 43"E, on said R.O.W., 237.08'; Thence S20° 55' 57"W, on said R.O.W., 172.21'; Thence S06° 04' 11"W, on said R.O.W., 50.73'; Thence S17° 52' 33"W, on said R.O.W., 84.34'; Thence N81° 43' 25"E, on said R.O.W., 95.44'; Thence N46° 38' 57"E, on said R.O.W., 266.47'; Thence N78° 29' 48"E, on said R.O.W., 237.34'; Thence S72° 31' 35"E, on said R.O.W., 116.65'; Thence S33° 30' 54"E, on said R.O.W., 311.40'; Thence S44° 04' 18"E, on said R.O.W., 320.96'; Thence S11° 55' 14"E, on said R.O.W., 301.65'; Thence S21° 43' 39"E, on said R.O.W., 171.91'; Thence S38° 30' 50"E, on said R.O.W., 262.67'; Thence S65° 29' 26"E, on said R.O.W., 717.82'; Thence S44° 08' 23"E, on said R.O.W., 175.04'; Thence S35° 36' 48"E, on said R.O.W., 306.32'; Thence S10° 30' 42"E, on said R.O.W., 123.51'; Thence S01° 10' 41"W, on said R.O.W., 98.20'; Thence S26° 52' 06"W, on said R.O.W., 270.67'; Thence S03° 31' 27"W, on said R.O.W., 173.37'; Thence S06° 45' 28"E, on said R.O.W., 143.08'; Thence S26° 51' 51"E, on said R.O.W., 86.37'; Thence S21° 25' 15"W, on said R.O.W., 35.38'; Thence N80° 56' 45"W, on said R.O.W., 40.08'; Thence N12° 33' 35"W, on said R.O.W., 311.82'; Thence N36° 21' 45"W, on said R.O.W., 151.12'; Thence N46° 56' 37"W, on said R.O.W., 192.73'; Thence N37° 29' 32"W, on said R.O.W., 175.4'; Thence N24° 47' 52"W, on said R.O.W., 129.16'; Thence N40° 55' 37"W, on said R.O.W., 72.54'; Thence N49° 40' 25"W, on said R.O.W., 139.34'; Thence N64° 52' 12"W, on said R.O.W., 104.31'.

AFTER RECORDING RETURN TO:
Bruce A. Anderson, ISB #3392
ELSAESSER JARZABEK ANDERSON
MARKS ELLIOTT & McHUGH, CHTD.
Attorneys at Law
1400 Northwood Center Court
Coeur d'Alene, ID 83814
Tel: (208) 667-2900
Fax: (208) 667-2150

EASEMENT FOR INGRESS, EGRESS AND RIGHT OF WAY

Shannon D. Lindsey and Kimberly A. Lindsey, husband and wife ("Grantors"), whose address is PMB 2127-01 Jackson Creek Road, Montana City, Montana 59634, for good and valuable consideration do hereby forever grant and quitclaim unto the Estate of Gerald and Ona Lindsey, Ford Elsaesser Chapter 7 Trustee, at Bankruptcy Case No. 03-21652, U.S. Bankruptcy Court, District of Idaho and his successors and assigns ("Grantee"), an easement for unrestricted and unlimited ingress, egress and right of way along the access road from the Deer Creek Highway District Deer Creek public road over the Burdened property shown as Lot 1 on a Certificate of Survey recorded as Instrument No. 359707, records of Idaho County, Idaho. This easement shall be a width of 60 feet and shall begin at a point 30 feet on each side of the centerline of the existing roadway. See attached Exhibit A. The easement encumbers certain real property located in Idaho County, Idaho (the "Burdened Property"), more particularly described as follows:

SEE ATTACHED EXHIBIT B

Said easement shall be for unrestricted and unlimited ingress, egress and right of way to that particular property known as the "Benefited Property," defined as follows:

SEE ATTACHED EXHIBIT C

If any party to this easement agreement, and including any heirs or assigns, wishes to have the easement become a dedicated county road, all parties herein consent to the same, including consent to any conditions which the county may require for such a dedication.

EASEMENT FOR INGRESS, EGRESS AND RIGHT OF WAY -1

EXHIBIT

B

The above described easement shall run with the land and shall be binding upon the successors, heirs and assigns of the Grantor(s), and shall insure to the benefit of any and all future owners, successors, heirs and assigns of said Benefited Property.

DATED this _____ day of July 2004.

Shannon D. Lindsey

DATED this _____ day of July 2004.

Kimberly A. Lindsey

NOTARY

STATE OF _____)
)ss.
County of _____)

On this _____ day of July 2004, before me, a Notary Public in and for the State of _____, personally appeared SHANNON D. LINDSEY, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

SUBSCRIBED AND SWORN to before me as of the day and year in this certificate first above written.

Notary Public in and for _____
Residing at: _____
My Commission Expires: _____

STATE OF _____)
)ss.
County of _____)

On this _____ day of July 2004, before me, a Notary Public in and for the State of _____, personally appeared KIMBERLY A.. LINDSEY, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that she executed the same.

SUBSCRIBED AND SWORN to before me as of the day and year in this certificate first above written.

Notary Public in and for _____
Residing at: _____
My Commission Expires: _____

C-W 1/16

CENT

DEER CREEK
ROAD 50' R.O.W.

LOT 1 11.28 Ac.

VALVE
SHED

COURSES ABOVE

SW 1/4

(A)	S 32° 48' 10" E	77.38'
(B)	S 58° 28' 28" W	83.83'
(C)	S 20° 22' 43" W	128.26'
(D)	S 5° 04' 11" W	81.40'
(E)	S 17° 42' 33" W	121.91'
(F)	S 40° 47' 41" E	74.82'
(G)	N 37° 41' 25" E	93.44'

SPRINGWATER LINE

BOX
48" Ø
CONCRETE
RISER AT SPRING

EXHIBIT

A

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho.

Section 27: A parcel of land located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, sometimes referred to as Idaho County Assessor's Tax No. 96, more particularly described from a Record of Survey recorded August 21, 1991 as Instrument Number 359707, records of Idaho County, Idaho, as follows:

Commencing at the center West 1/16 corner of Section 27 which is a 5/8" x 30" IR with plastic cap marked PLS 5165;

Thence N.89°43'42" East, 1,220.14 feet on center line of Section 27, to a 1/2" x 24" IR which is the THE POINT OF BEGINNING;

Thence S.7°25'08" West, 76.58 feet to a 5/8" x 30" IR with plastic cap marked PLS 5165;

Thence S.27°20'43" East, 114.34 feet to a 5/8" x 30" IR with plastic cap marked PLS 5165;

Thence S.6°46'01" East, 202.62 feet to a 5/8" x 30" IR with plastic cap marked PLS 5165 which is on Easterly Right of Way of access road;

Thence S.50°16'08" West, 62.32 feet, across Right of Way, to a 5/8" x 30" IR with plastic cap marked PLS 5165, which is on Westerly Right of Way of access road;

Thence S.20°53'53" West, 162.26 feet, on said Westerly Right of Way, to a 5/8" x 30" IR with plastic cap marked PLS 5165;

Thence S.6°04'11" West, 51.40 feet, on said Westerly Right of Way, to a 5/8" x 30" IR with plastic cap marked PLS 5165;

Thence S.17°52'23" West, 121.91 feet, on said Westerly Right of Way, to a 5/8" x 30" IR with plastic cap marked PLS 5165;

Thence S.40°47'41" East, 74.82 feet, leaving Right of Way, to a 5/8" x 30" IR with plastic cap marked PLS 5165, which is at fence corner;

Thence N.83°48'25" West, 349.61 feet, along fence line, to a 5/8" x 30" IR with plastic cap marked PLS 5165, which is on Easterly Right of Way of Deer Creek County Road;

Thence N.1°57'45" West, on said Right of Way, 81.98 feet;

Thence N.40°39'56" West, on said Right of Way, 96.42 feet;

Thence N.76°11'32" West, on said Right of Way, 160.25 feet;

Thence S.65°52'10" West, on said Right of Way, 196.17 feet;

Thence S.77°43'15" West, on said Right of Way, 314.78 feet;

Thence N.42°58'31" West, on said Right of Way, 39.93 feet;

Thence N.50°28'52" East, on said Right of Way, 15.65 feet;

Thence N.63°17'30" East, on said Right of Way, 191.01 feet;

Thence N.56°36'56" East, on said Right of Way, 196.44 feet;

Thence N.27°27'53" East, on said Right of Way, 255.29 feet;

Thence N.66°47'33" East, on said Right of Way, 69.32 feet;

Thence N.66°17'34" East, on said Right of Way, 170.10 feet;

Thence N.57°40'46" East, on said Right of Way, 164.34 feet;

Thence N.58°20'26" East, 40.83 feet, on said Right of Way, to a 5/8" x 30" IR with plastic cap marked PLS 5165, which is on East-West center 1/4 line of Section 27;

Thence N.89°43'42" East, 282.31 feet, on center 1/4 line, to THE POINT OF BEGINNING.

EXHIBIT

B

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho
 Section 26: Government Lot 2;
 Section 27: Tax No. 90 located in the SE~~1~~/~~4~~NW~~1~~/~~4~~ described below;
 Government Lots 7 and 8;
 All that part of the NE~~1~~/~~4~~SW~~1~~/~~4~~ which lies East of the Deer
 Creek County Road,
 LESS Tax No. 96 described below;
 All that part of the S~~1~~/~~4~~SW~~1~~/~~4~~ which lies East of the Deer
 Creek County Road;
 S~~1~~/~~4~~SE~~1~~/~~4~~ including Tax No. 97 described below;
 Section 34: NW~~1~~/~~4~~NE~~1~~/~~4~~, Government Lot 1, including Tax No. 98
 described below;
 Section 35: Government Lot 1

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho
 Section 27: **TAX NO. 90:** A parcel of land located in the SE~~1~~/~~4~~NW~~1~~/~~4~~
 of said Section 27, which is more particularly
 described as follows:

Commencing at the west $\frac{1}{4}$ corner of said Section 27,
 thence N 89°43'42" E, along center section line,
 2554.14 feet to a $\frac{1}{2}$ "x24" IR which is the TRUE POINT OF
 BEGINNING;
 thence N 36°42'55" E, 91.22 feet to a 5/8"x30" IR
 marked PLS 5165;
 thence N 52°19'31" E, 74.58 feet to a 5/8"x30" IR
 marked PLS 5165, which is on the North-South center
 section line;
 thence S 00°08'58" E, along the center section line,
 118.16 feet to the computed point for the center $\frac{1}{4}$;
 thence S 89°43'42" W, along East-West center section
 line, 113.87 feet to the TRUE POINT OF BEGINNING.

continued...

EXHIBIT

C

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 27: **TAX NO. 97:** A parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 27, which is more particularly described as follows:

Commencing at the section corner common to Sections 26, 27, 34 and 35, a brass capped monument marked PLS 5165; thence S 89°48'28" W on section line between Sections 27 and 24, 577.38 feet to the TRUE POINT OF BEGINNING, a point on westerly R.O.W. of access road; thence S 89°48'28" W on section line, 180.21 feet to a point on easterly R.O.W. of access road; thence N 46°56'37" W on easterly R.O.W., 148.41 feet; thence N 37°29'32" W on said R.O.W., 170.55 feet; thence N 24°47'52" W on said R.O.W., 129.92 feet; thence N 40°55'57" W on said R.O.W., 78.99 feet; thence N 49°40'25" W on said R.O.W., 144.58 feet; thence N 64°52'13" W on said R.O.W., 93.42 feet to a 5/8"x30" IR with plastic cap marked PLS 5165; thence N 65°07'35" E leaving R.O.W., 77.73 feet to a 5/8"x30" IR with plastic cap marked PLS 5165; thence N 12°14'48" W, 402.78 feet to a 5/8"x30" IR with plastic cap marked PLS 5165 which is on westerly R.O.W. of access road; thence S 65°29'26" E on said R.O.W., 526.92 feet; thence S 44°08'23" E on said R.O.W., 168.46 feet; thence S 35°36'49" E on said R.O.W., 300.70 feet; thence S 18°30'42" E on said R.O.W., 115.26 feet; thence S 01°50'41" W on said R.O.W., 88.16 feet; thence S 26°52'06" W on said R.O.W., 215.06 feet to the TRUE POINT OF BEGINNING.

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 34: **TAX NO. 98:** A parcel of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 34, which is more particularly described as follows:

Commencing at the section corner common to Sections 26, 27, 34 and 35, a brass capped monument marked PLS 5165; thence S 89°48'28" W on section line between Sections 27 and 34, 577.38 feet to the TRUE POINT OF BEGINNING, a point on the westerly R.O.W. of access road; thence S 26°52'06" W on westerly R.O.W. of access road, 32.52 feet to a 5/8"x30" IR with plastic cap marked PLS 5165; thence S 86°30'24" W leaving said R.O.W., 127.06 feet to a 5/8"x30" IR with plastic cap marked PLS 5165, which is on easterly R.O.W. of access road; thence N 46°56'37" W on said easterly R.O.W., 52.95 feet to a point which is on section line between Sections 27 and 34; thence N 89°48'28" E on section line, 180.21 feet to the TRUE POINT OF BEGINNING.

continued...

LESS TAX NO. 96

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 27: **TAX NO. 96:** A parcel of land located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
which is more particularly described as follows:

Commencing at the center west $\frac{1}{16}$ corner of said
Section 27 which is a $\frac{5}{8}$ "x30" IR with plastic cap
marked PLS 5165;
thence N $89^{\circ}43'42''$ E, on center line of said Section
27, 1220.14 feet to a $\frac{1}{2}$ "x24" IR which is the TRUE POINT
OF BEGINNING;
thence S $07^{\circ}25'08''$ W, 76.58 feet to a $\frac{5}{8}$ "x30" IR with
plastic cap marked PLS 5165;
thence S $27^{\circ}20'42''$ E, 114.34 feet to a $\frac{5}{8}$ "x30" IR with
plastic cap marked PLS 5165;
thence S $06^{\circ}45'01''$ E, 202.62 feet to a $\frac{5}{8}$ "x30" IR with
plastic cap marked PLS 5165 which is on easterly R.O.W.
of access road;
thence S $50^{\circ}15'08''$ W across R.O.W., 62.32 feet to a
 $\frac{5}{8}$ "x30" IR with plastic cap marked PLS 5165, which is
on westerly R.O.W. of access road;
thence S $20^{\circ}53'53''$ W on said westerly R.O.W., 162.26
feet to a $\frac{5}{8}$ "x30" IR with plastic cap marked PLS 5165;
thence S $06^{\circ}04'11''$ W on said westerly R.O.W., 51.40
feet to a $\frac{5}{8}$ "x30" IR with plastic cap marked PLS 5165;
thence S $17^{\circ}52'33''$ W on said westerly R.O.W., 121.91
feet to a $\frac{5}{8}$ "x30" IR with plastic cap marked PLS 5165;
thence S $40^{\circ}47'41''$ E leaving R.O.W., 74.82 feet to a
 $\frac{5}{8}$ "x30" IR with plastic cap marked PLS 5165, which is
at fence corner;
thence N $83^{\circ}49'25''$ W along fence line, 349.61 feet to a
 $\frac{5}{8}$ "x30" IR with plastic cap marked PLS 5165, which is
on easterly R.O.W. of Deer Creek county road;
thence N $01^{\circ}57'45''$ W on said R.O.W., 61.98 feet;
thence N $40^{\circ}39'56''$ W on said R.O.W., 96.42 feet;
thence N $76^{\circ}11'32''$ W on said R.O.W., 160.25 feet;
thence S $85^{\circ}52'10''$ W on said R.O.W., 196.17 feet;
thence S $77^{\circ}43'15''$ W on said R.O.W., 314.78 feet;
thence N $42^{\circ}58'31''$ W on said R.O.W., 39.93 feet;
thence N $50^{\circ}28'52''$ E on said R.O.W., 15.65 feet;
thence N $63^{\circ}17'30''$ E on said R.O.W., 191.01 feet;
thence N $56^{\circ}36'56''$ E on said R.O.W., 198.44 feet;
thence N $27^{\circ}27'53''$ E on said R.O.W., 255.29 feet;
thence N $65^{\circ}47'33''$ E on said R.O.W., 59.32 feet;
thence N $66^{\circ}17'34''$ E on said R.O.W., 170.10 feet;
thence N $57^{\circ}40'46''$ E on said R.O.W., 164.34 feet;
thence N $58^{\circ}20'25''$ E on said R.O.W., 40.83 feet to a
 $\frac{5}{8}$ "x30" IR with plastic cap marked PLS 5165, which is
on East-West center $\frac{1}{2}$ line of said Section 27;
thence N $89^{\circ}43'42''$ E on center $\frac{1}{2}$ line, 282.31 feet to
the TRUE POINT OF BEGINNING.